

Committee on Media Integrity (COMINT)

FCC MAIL SECTION

To Promote Balance in Government Funded Media

David Horowitz
Chairman

JAN 16 10 52 AM '91

2049 Century Park East
Suite 1200

Peter Collier
Co-Chairman

Los Angeles, CA 90067

(213) 553-2274

January 15, 1991

RECEIVED BY

Richard Perkins
Secretary

In re Application of Community
Television of Southern California
(KCET-TV) for Construction Permit
for a New Television Station on
Channel #39 in Bakersfield,
California

File No. BPET-881012KE

REC'D MASS MED RHP

JAN 18 1991

Advisory Board

William B. Allen
former Chairman, U.S.
Civil Rights Commission

Richard Brookhiser
former Director, Corporation
Public Broadcasting

Richard M. Coleman
Past President,
Los Angeles County Bar Assoc.

K. E. Grubbs Jr.
Editorial and Commentary
Director, Orange County Register

Bill Leonard
State Senator

Martha Mullin
Trustee, Northrup University

Dennis Prager
KABC Commentator

INFORMAL OBJECTIONS (Rule 73.3587)

VIDEO SERVICES

To the Honorable, the Chairman and Members of the
Federal Communications Commission:

Pursuant to Rule 73.3587, the Committee on Media Integrity hereby respectfully objects to the granting of the application of Community Television of Southern California (KCET-TV) for a construction permit for a new television station on Channel #39 in Bakersfield, California.

This Committee was organized in 1990, during the pendency of that application. We learned of it only recently. These objections are submitted as promptly as possible in the circumstances.

We object to the granting of the application on the ground that as KCET-TV is now constituted and operated, the public interest, convenience, and necessity would not be served by the granting of the permit applied for.

In support of our objections we pray reference to, and by reference incorporate herein, the objections we filed in No. BPET-880728KF to renewal of KCET-TV's license to broadcast in the Los Angeles area.

The factual allegations of our objections in BPET-880728KE have all been admitted by failure to deny the same. In substance, they show "intolerable irresponsibility" on the part of the nominal directors of KCET (Continental Broadcasting, Inc. v. F.C.C. (D.C. Cir. 1971) 439 F.2d 580, 584, cert. den. 403 U.S. 905 (1946);) misrepresentation concerning the directors' role in the operation (F.C.C. v. WOKO, Inc., 329 U.S. 223 (1946);) refusal to recognize citizens' legitimate

role in "taking a hand in broadcasting" (Office of Communication, etc. v. F.C.C. (D.C. Cir. 1964) 359 F.2d 994, 1003;) secret board committee meetings in violation of the Public Broadcasting Act (47 U.S. Code sec. 396 (k)(4);) and refusal to maintain a reasonably representative community advisory board (47 U.S. Code sec. 396(k)(8)(A),) also in violation of the Public Broadcasting Act.

For the reasons stated, the application for construction permit should be denied.

Respectfully submitted,

COMMITTEE ON MEDIA INTEGRITY

By David Horowitz
David Horowitz, Chairman

Richard A. Perkins
Richard A. Perkins, Secretary
and Counsel

RAP.358

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF

I have read the foregoing

and know its contents.

☒ CHECK APPLICABLE PARAGRAPH

☐ I am a party to this action. The matters stated in it are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am ☐ an Officer ☐ a partner ☐ a of

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. I have read the foregoing document and know its contents. The matters stated in it are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for

a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I have read the foregoing document and know its contents. I am informed and believe and on that ground allege that the matters stated in it are true.

Executed on , 19, at California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature

ACKNOWLEDGMENT OF RECEIPT OF DOCUMENT (other than summons and complaint)

Received copy of document described as

on 19.

Signature

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California.

I am over the age of 18 and not a party to the within action; my business address is:

2049 Century Park East, Suite 1200, Los Angeles, CA 90067

On January 15, 1991, I served the foregoing document described as

Informal Objections

on Community Television of Southern California

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at: Los Angeles, California

addressed as follows:

Glenn C. Schroeder
4401 Sunset Blvd.
Los Angeles, CA 90027

Theodore D. Frank, George H. Shapiro, and
Paul J. Feldman
ARENT, FOX, KINTNER, PLOTKIN & KAHN
1050 Connecticut Ave., N.W.
Washington, D.C. 20036-5339

☒ (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Los Angeles, California.

☐ (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the offices of the addressee.
Executed on January 15, 1991 at Los Angeles, California.

☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Richard A. Perkins
Signature